

Appl. No. 10/784,842
Amdt. Dated 28-Apr-05
Reply to Office Action of 12/14/2004
Attorney Docket No. : 6037-006
Customer No. 29,335

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) ~~An antioxidant~~ A composition comprising at least one ~~non-reducing sugar or sugar polyol~~ casein or fragment thereof, wherein the ~~antioxidant~~ composition is operable to inhibit oxidation of ~~highly polyunsaturated~~ lipids in oil-in-water or water-in-oil emulsions.
2. (Currently Amended) The composition of Claim 1, further ~~comprising a~~ comprising at least one sulfated polysaccharide.
3. (Currently Amended) The composition of Claim 2, further comprising the sulfated polysaccharide selected from the group consisting of: iota-carrageenan, kappa-carrageenan, lambda-carrageenan, chondroitin, heparin, dextran, and cyclodextrins, and combinations thereof.
4. (Original) The composition of Claim 1, further comprising a medium-chain triglyceride.
5. (Currently Amended) The composition of Claim 4, further comprising a medium-chain ~~triglyceride~~ triglyceride selected from the group consisting of: caproic (C:6.0), caprylic (C:8.0), and capric (C:10.0) ~~triglycerides~~ triglycerides, and any combinations thereof.
6. (Currently Amended) The composition of Claim 1, further comprising a ~~casein or fragment thereof~~ at least one non-reducing sugar or sugar polyol.
7. (Currently Amended) The composition of ~~Claim 6~~ Claim 1, further comprising the casein or fragment thereof selected from the group consisting of: alpha-casein, beta-casein, kappa-casein, fragments thereof, and any combinations thereof.

Appl. No. 10/784,842
Amdt. Dated 28-Apr-05
Reply to Office Action of 12/14/2004
Attorney Docket No. : 6037-006
Customer No. 29,335

8. (Currently Amended) The composition of ~~Claim 6~~ Claim 1, wherein the casein or fragment thereof comprises a caprine casein or fragment thereof.

9. (Currently Amended) The composition of Claim 1, further ~~comprising a~~ comprising at least one phosphopeptide, glycopeptide, glyceride and combinations thereof.

10. (Currently Amended) The composition of Claim 9, further comprising a phosphopeptide having ~~high amounts of alpha²-casein~~ amounts of alpha.sub.s2.-casein greater than 15 percent of total casein and medium-chain triglycerides.

11. (Original) The composition of Claim 10, further comprising a caseinophosphopeptide.

12. (Currently Amended) The composition of Claim 11, ~~further wherein the caseinophosphopeptide comprising~~ comprises a caprine caseinophosphopeptide.

13. (Canceled)

14. (Currently Amended) The composition of Claim 1, further ~~comprising a~~ comprising at least one ingredient selected from the group consisting of: alpha, beta, gamma or delta tocopherols, alpha, beta, gamma or delta tocotrienols, tocopherols, tocotrienols, beta-carotene, phospholipids, chitosan and combinations thereof.

15. (Currently Amended) The composition of Claim 1, further ~~comprising a~~ comprising at least one phospholipid selected from the group consisting of: egg yolk ~~phospholipids~~ phospholipids, soybean phospholipids, and combinations thereof.

16. (Currently Amended) The composition of Claim 1, further ~~comprising a~~ comprising at least one ingredient selected from the group consisting of pH modifier modifiers, chelating agents, polyphenols, modified starches, glycerides, fruit concentrate sweeteners, cocoa powder, sucralose, and oil-soluble flavors, vitamins, nutraceutical actives, and pharmaceutical actives.

Appl. No. 10/784,842
Amdt. Dated 28-Apr-05
Reply to Office Action of 12/14/2004
Attorney Docket No. : 6037-006
Customer No. 29,335

17. (Currently Amended) The composition of Claim 16, ~~further comprising~~ wherein the pH modifier is selected from the group consisting of: citric acid, ascorbic acid, gluconic acid, and combinations thereof.

18. (Currently Amended) The composition of Claim 16, ~~further comprising a~~ wherein the chelating agent comprises citric acid.

19. (Canceled)

20. (Currently Amended) The composition of Claim 16, wherein the polyphenols further comprising a comprises the polyphenols derived from the fruit of *Solanum melongena*.

21 - 41 (Cancelled)

42. (Currently Amended) A product comprising at least one ~~non-reducing sugar or sugar polyol~~ casein or fragment thereof, wherein the ~~antioxidant~~ composition is operable to imparts at least one function selected from the group consisting of inhibit inhibiting oxidation of highly polyunsaturated lipids in oil-in-water or water-in-oil emulsions, preventing bone mineral loss in a mammal, and preventing hypercholesterolemia in a mammal.

43. (Original) The product of Claim 42, wherein the product is selected from the group consisting of: cocoa products, hypercholesterolemia preventatives, bone mineral loss preventatives, Omega-3-rich oil products, products having oil- soluble flavors, products having oil-soluble vitamins, nutraceuticals, or pharmaceuticals, protein rich products having reduced protein settling and sedimentation, transparent beverages, products containing vegetable oils including rice bran oil, flax, chia, hemp, castor, soybean, lesquerella, dehydrated castor oil, rich in Omega-3, or conjugated linoleic acid, animal oils including fish, egg, poultry, and beef oils rich in Omega-3, or conjugated linoleic acid, and combinations thereof.

Appl. No. 10/784,842
Amdt. Dated 28-Apr-05
Reply to Office Action of 12/14/2004
Attorney Docket No. : 6037-006
Customer No. 29,335

44. (New) The composition of Claim 1, wherein the emulsion thereof comprises either a water-in-oil microemulsion, water-in-oil nanoemulsion, oil-in-water microemulsion, or an oil-in-water nanoemulsion thereof.

45. (New) The composition of Claim 21, wherein the emulsion thereof comprises either a water-in-oil microemulsion, water-in-oil nanoemulsion, oil-in-water microemulsion, or an oil-in-water nanoemulsion thereof.

46. (New) The composition of Claim 21, wherein the polycationic complex is selected from the group consisting of chitosan.

47. (New) The composition of Claim 21, wherein the polycationic complex is selected from the group consisting of trypsin-digested casein.

48. (New) The composition of Claim 21, wherein the trypsin-digested casein is selected from the group consisting of caprine casein characterized by a content of alpha.sub.s2.-casein greater than 15 percent and beta-casein greater than 15 percent of the total casein.

49. (New) The composition of Claim 21, wherein the casein is selected from the group consisting of caprine casein phosphopeptides.

50. (New) The composition of Claim 28, wherein the polyphenols comprises polyphenols selected from the group consisting of *Solanum melongena* polyphenols.

51. (New) The composition of Claim 21, further comprising non-reducing sugars and sugar polyols.

52. (New) The composition of Claim 21, further comprising pH modifiers wherein the acidic environment ranges from pH 2.0 to 5.7.

53. (New) The composition of Claim 23, wherein the sulfated polysaccharides are selected from the group consisting of carrageenans, chondroitin, heparin, dextran, cyclodextrins and combinations thereof.

54. (New) A composition comprising at least one polysaccharide complex, wherein the complexes are immiscible in oil and wherein the composition imparts at least

Appl. No. 10/784,842
Amdt. Dated 28-Apr-05
Reply to Office Action of 12/14/2004
Attorney Docket No. : 6037-006
Customer No. 29,335

one function selected from the group consisting of: inhibiting oxidation of lipids in oil-in-water or water-in-oil emulsions, preventing bone mineral loss in a mammal, preventing hypercholesterolemia in a mammal, enhancing mineral absorption, reducing protein settling and sedimentation within a protein rich emulsion, improving creaminess, and reducing bitterness.

55. (New) The composition of Claim 54, wherein the polysaccharide complex is selected from the group consisting of sulfated polysaccharides.

56. (New) The composition of Claim 54, further comprising at least one ingredient selected from the group consisting of cocoa powder, pH modifiers, chelating agents, polyphenols, modified starches, glycerides, fruit concentrate sweeteners, Sucralose, and oil-soluble flavors, vitamins, nutraceutical actives, and pharmaceutical actives.

57. (New) The composition of Claim 54, further comprising a calcium or magnesium salt, or combination thereof, wherein the composition enhances mineral absorption to reduces hypercholesterolemia in a mammal.

58. (New) The composition of Claim 54, further comprising a calcium or magnesium salt, or combination thereof, wherein the composition enhances mineral absorption to prevent bone mineral loss in a mammal.

59. (New) The composition of Claim 54, further comprising a calcium or magnesium salt or combination thereof; and an oil rich in Omega-3 products.

60. (Currently Amended) The composition of Claim 54, further comprising an edible oil selected from the group consisting of: vegetable oils including rice bran oil, flax, chia, hemp, castor, soybean, lesquerella, dehydrated castor oil, rich in Omega-3, or conjugated linoleic acid, animal oils including fish, egg, poultry, and beef oils rich in Omega-3, conjugated linoleic acid, and combinations thereof.

Appl. No. 10/784,842
Amdt. Dated 28-Apr-05
Reply to Office Action of 12/14/2004
Attorney Docket No. : 6037-006
Customer No. 29,335

61. (New) The composition of Claim 54, further comprising a calcium or magnesium salt or combination thereof, the composition being present in a transparent ingestible beverage medium.

62. (New) The composition of Claim 54, further comprising a calcium or magnesium salt or combination thereof, the composition present in a cocoa product having improved creaminess, reduced bitterness, and reduced oxidation.

63. (New) The composition of Claim 54, wherein the composition is present in a protein rich product having reduced protein settling and sedimentation.

64. (New) The composition of Claim 54, further comprising a high-methoxyl pectins or pectin alginates or combinations thereof.

65. (New) The composition of Claim 9, wherein the glyceride is selected from the group consisting of: enzymatically modified oils, fats, and fatty acids of mono-, di-, and tri-glycerides; lipolyzed modified oils, fats, and fatty acids of mono-, di-, and tri-glycerides; and combinations thereof.

66. (New) The composition of Claim 16, wherein the fruit concentrate sweetener comprises: a blend of hydrolyzed starch having a dextrose equivalent (D.E.) of up to approximately 25; fruit juice or fruit syrup concentrate of at least approximately 40% soluble solids; and approximately 0% insoluble solids, wherein the starch, juice or concentrate and solids form a liquor having a dry weight composition of approximately 40 to approximately 65% complex carbohydrates, approximately 35 to approximately 55% simple sugars from the fruit juice or fruit syrup concentrate, and approximately 0 to approximately 5% nutritional components occurring naturally in the fruit juice or fruit syrup concentrate.